

Article - Education

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§24–509.

(a) The Commission may obtain and carry comprehensive liability insurance to protect the Commission, its employees, and agents. The determination whether to purchase insurance, and its scope and limitations, shall be within the Commission's discretion, taking into account commercial availability and affordability and the existence and extent of insurance secured by the State Treasurer.

(b) (1) Title 12, Subtitle 1 of the State Government Article (Maryland Tort Claims Act) applies to claims or actions against the Commission, its members, agents, and employees.

(2) Subject to all exclusions and limitations in Title 12, Subtitle 1, the immunity of the Commission is waived to the extent of any insurance coverage, if any, purchased under this section.

(c) Nothing in this section shall be construed to waive or abrogate sovereign immunity with respect to any claim that is not covered by or exceeds the limits of an insurance policy.

(d) Nothing in this section shall be construed to waive or abrogate the immunity of the Commission under the Eleventh Amendment to the United States Constitution.

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